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Attorneys for Defendants
U.S. BANCORP and U.S. BANK, N.A.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WILLYUM WATERS, FRANK SMITH, as
individuals and on behalf of all others similarly
situated,

Plaintiffs,

v.

U.S. BANCORP, U.S. BANK, N.A., and DOES 1
through 125,

Defendants.

Case No. CV 09 2071 EMC

CLASS ACTION

**STIPULATION TO EXTEND
TIME TO RESPOND TO THE
FIRST AMENDED CLASS
ACTION COMPLAINT ; ORDER**

1 Plaintiffs Willyum Waters and Frank Smith ("Plaintiffs") and Defendants U.S. Bancorp
2 and U.S. Bank National Association ("Defendants"), by and through their respective attorneys,
3 hereby stipulate and agree as follows:

4 WHEREAS, U.S. Bancorp was served with a summons and the complaint in this matter
5 on or about May 8, 2009;

6 WHEREAS, U.S. Bank National Association was served with a summons and the
7 complaint in this matter on or about June 3, 2009;

8 WHEREAS, Plaintiffs filed their First Amended Class Action Complaint on June 23,
9 2009;

10 WHEREAS, the parties previously stipulated to an extension of time to July 15, 2009, for
11 Defendants to answer or otherwise respond to the operative complaint; and

12 WHEREAS, lead counsel for Defendants has been out of the office due to the passing of
13 his mother;

14 IT IS HEREBY STIPULATED by the parties, by and through their undersigned counsel,
15 that the time in which Defendants may answer or otherwise respond to the First Amended Class
16 Action Complaint in this matter is extended to and including July 29, 2009. This extension does
17 not affect any other scheduled dates in the matter.

18 Dated: July 14, 2009

MORRISON & FOERSTER LLP

19 By: /s/ Sylvia Rivera
Sylvia Rivera

20 Attorneys for Defendants
21 U.S. BANCORP, U.S. BANK, N.A.

22 Dated: July 14, 2009

MCCUNE WRIGHT, LLP

23 By: /s/ Richard D. McCune
Richard D. McCune

24 Attorneys for Plaintiffs
25 WILLYUM WATERS and FRANK
26 SMITH
27

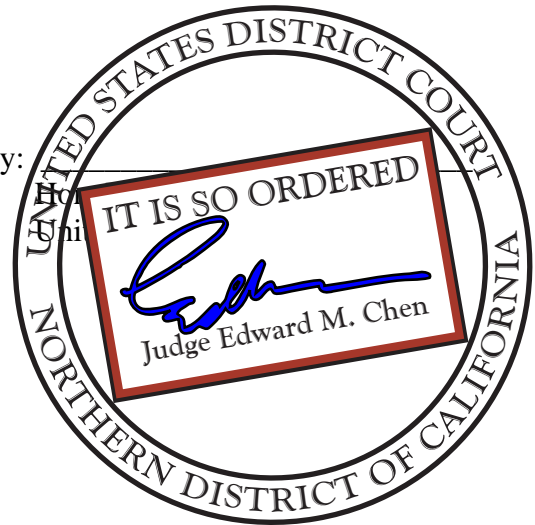
ORDER

The parties having stipulated, and good cause appearing, it is hereby ORDERED that the time in which Defendants U.S. Bancorp and U.S. Bank National Association may answer or otherwise respond to the First Amended Class Action Complaint in this matter is extended to and including July 29, 2009.

IT IS SO ORDERED.

Dated: July 14, 2009

By:



GENERAL ORDER 45 ATTESTATION

In accordance with General Order 45, concurrence in the filing of this document has been obtained from Richard D. McCune and I shall maintain records to support this concurrence for subsequent production for the court if so ordered or for inspection upon request by a party.

Date: July 14, 2009

By /s/ Sylvia Rivera

Sylvia Rivera

Attorneys for Defendants
U.S. BANCORP and U.S. BANK, N.A.